

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

application of: Renwick Byron Jeffrey
 Serial No.: 10/772,114
 Filed: June 29, 2004
 For: Holding Device

Group No.: 3677
 Examiner: Sandy, Robert John

Mail Stop Patent Application
 Commissioner for Patents
 P.O. Box 1450
 Alexandria, VA 22313-1450

TRANSMITTAL OF SUBSTITUTE SPECIFICATION (37 C.F.R. 1.125)

1. Enclosed is a substitute specification for the originally filed specification in this application.
2. This substitute specification is being voluntarily submitted, pursuant to a request from the Examiner, in order to facilitate the processing of the application.
3. Also enclosed is a marked-up copy of the original specification showing the matter being added to and the matter being deleted from the specification.
4. Accompanying this transmittal is a statement, as required by 37 C.F.R. 1.125, that the substitute specification transmitted herewith contains no new matter.

Richard A. Ryan
 SIGNATURE OF PRACTITIONER

Reg. No. 39,014

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Certificate of Express Mailing - 37 C.F.R. § 1.10

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I hereby certify that the papers and/or fees identified in this letter are being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to Mail Stop PATENT APPLICATION, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Richard A. Ryan (PTO #39,014)



Practitioner's Docket No. RAR708.01

PATENT

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**STATEMENT THAT SUBSTITUTE SPECIFICATION
CONTAINS NO NEW MATTER (37 C.F.R. 1.125)**

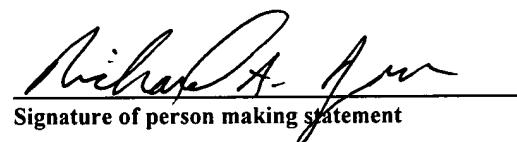
1. Identification of person making this statement

Richard A. Ryan
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Fresno, CA 93720

The person making this statement is the attorney in this application, Registration Number 39,014.

2. Statement

I hereby state that the accompanying substitute specification contains no new matter over that contained in the above-identified application originally filed. I further state that the changes made are the same as indicated in the inter-lined original specification also accompanying this declaration.

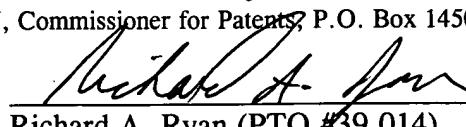


Signature of person making statement

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Richard A. Ryan (PTO #39,014)



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Patent Application of
Renwick Byron Jeffrey
for
HOLDING DEVICE

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CROSS-REFERENCE TO RELATED APPLICATIONS

None.

BACKGROUND OF THE INVENTION

Heretofore, towel hangers and wall attached clothing hangers used
15 smooth hooks or protruding rods as is exemplified by U.S. Pat. No. D274,026
Boroch May 29, 1984 over which one could hang a towel or a mounted ring,
exemplified by U.S. Pat. No. 5,026,012 Wang, Jun. 25, 1991 through which a
towel could be placed. A shirt or other cloth object can also be hung on a wall
mounted hook such as U.S. Pat. No. D458,535, and U.S. Pat No. 5,967,476 and
20 U.S. Pat. No. 6,131,864. There are also towel holding devices using flexible
finger like projections inwardly located within a circle in order to hold, or grip the

towel until the next use. Some prior art used special towels with button hole like areas to fit over the hook or protrusion as in U.S. Pat. No. 6,351,869 Jones, others have made a magnet which can be attached to a towel so that it can be placed against a steel refrigerator or other flat ferrous metal object. Others have 5 used spring-loaded holding devices which grip the towel or other soft objects, such as U.S. Pat Nos. 840,618, and 979,436, and 2,505,899 and 4,840,341. In order to hang rigid material the material had to have a hole, flange or the like to have the object stay on the hanger. The spring loaded devices which are little more than modifications of a clothes pin, could be used to hold rigid materials and 10 are being used to hold paper in office situations. Some prior art uses weighted hinged device in which the towel can be held just by the weight of the outer portion which has an area indented on the mounting side and a mating surface on the outer portion.

Unfortunately, there are many negative unexpected results from the 15 use of the aforementioned devices. For instance the biggest perceived drawback to the smooth hook is that it allows an object that is suspended on the hook to be easily knocked off the hook onto the floor, also the hook can be easily broken by someone grabbing the object being hung and pulling in the wrong way. The ring style towel holders are not generally used to hang anything except a towel and 20 are not generally good for any other use. The towel gripper with the inwardly

protruding fingers works well but wears out in just a few months of use (see photograph page 3 of drawings section). This prior art has lost its place in the market because the amount of returns to the retailer has been excessive. Spring loaded devices generally speaking have two drawbacks. The springs can rust and become weak or break. Spring loaded devices can cause physical harm if the device is opened to its limit and released suddenly. These devices have become unpopular for two reasons. One, they have a tendency to tear or rip towels that are not new and two, it takes two hands to operate them. Weighted devices cannot be used in any manner except vertical and has the drawback of not being useful for any object other than a towel and have been shown to not have broad acceptance in the market place.

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SUMMARY OF THE INVENTION

The present invention achieves superior results and overcomes the problems of the heretofore prior art and relates to holding devices for used to hold towels, paper, clothing, disposable exam gowns or any fabric or plastic material such as but not limited to, an exposed x-ray film, which needs to be held in place temporarily. And, in particular to holding devices which use opposing sides to grip what is being held between those opposing sides and relates more particularly to holding devices which have adjacent mating surfaces which are kept in position by a common hinge point.

I provide a simple to operate, inexpensive, attractive, long lasting, two part magnetic holding device which can be made of any suitable non ferrous material and having an inner mounting side and a self centering, self aligning, outer side and inner side, between which an object can be inserted and held in place. The holding device is made so that the outer portion can move freely around the corrosion resistant hinge pin, thus, only one hand is required to operate it. An object can be slid into place between the matching magnetized surfaces, or the outer portion can be lifted and dropped onto the object to be held by the magnetic force. The holding device has no particular size or strength and can be produced to hold many different kinds of products or items and hold them in place until removed deliberately. It can be made small enough and of the

correct magnetic strength to hold a single piece of note paper or large enough and magnetically strong enough to hold a wet swimming pool or beach towel. The holding device can be mounted side ways in a shower/tub combination and will hold the shower curtain in place as well.

5 The general object of the invention is to provide an easy to use device for temporarily holding material in its grasp so as to prevent the material from falling on the ground, floor or other places which would be inappropriate.

Another object of the invention is to provide a holding device which is attractive enough to place in any part of a home or office.

10 It is a further object of the invention to provide a holding device which has enough longevity so as to have little chance of wearing out in an owners lifetime.

15 It is a further object of the invention to provide a holding device which, during the insertion into or removal from, will not tear or damage the object being held.

It is a further object of the invention to make a holding device in which springs are unnecessary.

It is a further object of the invention to provide a holding device which is safe to use.

Other objects and advantages of the invention will be apparent from the following disclosure.

The unique holding device disclosed herein is an inexpensive to make uncomplicated device which can be made in various sizes and out of 5 various non ferrous materials, thereby accommodating the user and purpose. The unique holding device is easy to operate and is, attractive enough not to have to be stored when not in use. The unique holding device can be used in the bathroom, kitchen, on the patio, in a cabana or other suitable places in the home or in places of business. Its unique design makes it useful as a holder for a 10 shower curtain, as well as a robe, bath towel, kitchen towel, papers and paper objects but is not limited to the same. The holding device is suitable for use in prisons or mental institutions because it would be difficult to harm oneself with it.

BRIEF SUMMARY OF THE VIEWS OF THE DRAWINGS

In the drawings which illustrate the preferred embodiments and the best modes presently contemplated for carrying out the present invention:

5 FIG. 1 is a top view of the holding device of the present invention shown closed;

FIG. 2 is a side view of the holding device of FIG. 1;

FIG. 3 is a bottom view of the holding device of FIG. 1; and

FIG. 4 is an exploded view of the holding device of FIG. 1 shown in the open position.

DETAILED DESCRIPTION OF THE PREFERRED EMBODIMENTS

Referring to fig. 1, Shows the outer part top view 1. with hole plug covering magnet attractor in place 2, and self alignment bar set in hinge point 3.

Referring to fig. 2, Shows hinge pin placement 4., flat mounting side of first portion 5., double curve or first portion 6., magnetic attractor in mounting portion 7., magnetic attractor in outer portion 8. double curve of outer portion 9., contact surfaces for holding materials 10.

Referring to fig. 3, Shows bottom view of mounting portion with plug cover 11., with hole plug covering the magnetic attractor in the first portion 12.,
10 Shows the receiving space for the alignment bar of the first portion 13. Referring to fig. 4, Shows oblique expanded view of top of outer part of second portion 14., with self alignment bar 15., receiving groove for self alignment bar 16., hinge pin 17., recessed area for material 18., flat edge of mounting side 19., opposing mating surfaces 20., receptacle hole for magnetic attractor, mounting portion 21.,
15 receptacle hole for hinge pin, mounting portion 22., receptacle hole for hinge pin, outer portion 23., and receptacle hole for magnetic attractor outer portion 24.